

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALONZO JAMICHAEL SEVERSON,
Plaintiff,
v.
SHEIN, et al.,
Defendants.

CASE NO. C25-1264-KKE

ORDER DECLINING TO SERVE AND
PROVIDING LEAVE TO AMEND THE
COMPLAINT

This matter comes before the Court upon *sua sponte* 28 U.S.C. § 1915(e)(2) review of Plaintiff's lawsuit against Defendants Shein, Tik Tok, and Samsung. Dkt. No. 5. Plaintiff, proceeding *pro se*, filed an application to proceed *in forma pauperis* ("IFP") which was granted by the Honorable Brian A. Tsuchida, U.S. Magistrate Judge. Dkt. Nos. 3, 4.

A complaint filed by any person seeking to proceed IFP pursuant to 28 U.S.C. § 1915(a) is subject to *sua sponte* review and dismissal by the Court “at any time” to the extent it is frivolous, malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant immune from such relief. 28 U.S.C. § 1915(e)(2)(B); *Calhoun v. Stahl*, 254 F.3d 845, 845 (9th Cir. 2001) (applying § 1915 review to non-prisoner IFP filers). Dismissal is proper when there is either a “lack of a cognizable legal theory or the absence of sufficient facts alleged under a cognizable legal theory.” *Balistreri v. Pacifica Police Dep’t*, 901 F.2d 696, 699 (9th Cir. 1990). The complaint must contain factual allegations sufficient “to raise a right to relief above the

1 speculative level.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007). Although Federal Rule
 2 of Civil Procedure 8 “does not require ‘detailed factual allegations,’ [] it demands more than an
 3 unadorned, the-defendant-unlawfully-harmed-me accusation.” *Ashcroft v. Iqbal*, 556 U.S. 662,
 4 678 (2009) (quoting *Twombly*, 550 U.S. at 555) (requiring the plaintiff to “plead[] factual content
 5 that allows the court to draw the reasonable inference that the defendant is liable for the misconduct
 6 alleged”); *see* Fed. R. Civ. P. 8(a)(1)–(2) (requiring a pleading to contain “a short and plain
 7 statement of the grounds for the court’s jurisdiction” and “a short and plain statement of the claim
 8 showing that the pleader is entitled to relief”).

9 Plaintiff filed this complaint using the form for a non-prisoner civil rights complaint and
 10 asserts violations of the Prioritizing Resources and Organization for Intellectual Property Act of
 11 2008 (“PRO-IP Act”) and copyright infringement. Dkt. No. 5 at 3, 5. Plaintiff alleges Defendants
 12 “used stolen intellectual property to gain extreme success and countless dollars.” *Id.* at 4. Plaintiff
 13 also asserts the events of this case arose in the King County Jail in 2016. *Id.* He seeks ten trillion
 14 dollars from each Defendant. *Id.* at 5.

15 Because Plaintiff is *pro se*, the Court must construe his pleadings liberally. *See McGuckin*
 16 *v. Smith*, 974 F.2d 1050, 1055 (9th Cir. 1992), *overruled on other grounds*, *WMX Techs., Inc. v.*
 17 *Miller*, 104 F.3d 1133, 1136 (9th Cir. 1997) (en banc). Nevertheless, Plaintiff’s complaint is
 18 subject to dismissal because he has not alleged sufficient facts to “raise [his] right to relief above
 19 the speculative level.” *Twombly*, 550 U.S. at 555; *see* 28 U.S.C. § 1915(e)(2)(B)(ii) (“the court
 20 shall dismiss the case at any time if the court determines that...the action of appeal...fails to state
 21 a claim on which relief may be granted”). Plaintiff does not identify what intellectual property
 22 was allegedly stolen, that he owns or has rights to the stolen intellectual property, or how that
 23 property is currently being used by Defendants. Accordingly, Plaintiff fails to provide “a short
 24 and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a).

The Court therefore declines to issue summons at this time. But the Court GRANTS Plaintiff leave to file an amended complaint. If he does so, he must articulate both the legal and factual basis supporting his claims. The amended complaint will act as a complete substitute for the original complaint. If Plaintiff fails to file an amended complaint and/or fails to adequately address the issues identified in this order, the Court may dismiss this action.

Plaintiff shall file his amended complaint, if any, no later than September 17, 2025.

The Clerk is directed to send uncertified copies of this Order to Plaintiff with a copy of the Pro Se Guide to Filing Your Lawsuit in Federal Court at said party's last known address.

Dated this 25th day of August, 2025.

Kimberly K. Eason

Kymberly K. Evanson
United States District Judge